

REMARKS

Claims 1-4, 6-14 and 16-31 remain pending in the application.

The Applicants respectfully request that the Examiner reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30 over Lohtia in view of Whittington

In the Office Action, claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,560,456 to Lohtia et al. ("Lohtia") in view of U.S. Patent No. 6,131,028 to Whittington ("Whittington"). The Applicants respectfully traverse the rejection.

Claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30 recite a system and method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call and retrieving a short message relating to a location based on requested information associated with the at least one auxiliary digit.

The Examiner alleged that Applicants previously argued that Whittington fails to disclose at least one auxiliary digit appended to a telephone number (see Office Action, page 2). However, a closer reading of Applicants' arguments filed February 16, 2006 reveals that Applicants are arguing WHAT Whittington's prefix number is appended TO. Applicants are arguing (and argued in the arguments filed February 16, 2006) that Whittington discloses use of a telephone number associate with a feature code, the telephone number being a destination for desired information (col. 3, lines 22-35). Thus, Whittington disclosing a feature code appended to a telephone number, the telephone number being a destination for information, i.e., such as a destination number for call forwarding, is **NOT** a telephone number initiating the telephone call

including at least one auxiliary digit appended to the telephone number, as recited by claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30.

Lohtia modified by the disclosure of Whittington would at best result in a system and method of retrieving information by a communication device (Lohtia) through use of a prefix code prefixed to a **destination telephone number for information** associated with the prefix code, i.e., a call forwarding telephone number (Whittington). Thus, neither Lohtia nor Whittington disclose or suggest a **telephone number initiating the telephone call** including at least one auxiliary digit appended to the telephone number used to **retrieve location based information**, much less further retrieving a short message relating to a location based on requested information associated with the at least one auxiliary digit, as recited by claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30.

Moreover, the Examiner is citing why Whittington is using a feature code. However, the issue is NOT why Whittington is using a feature code, which is the purpose of the invention, but why it would be obvious to add such a feature to Lohtia. As discussed in the previous response from the Applicants, Lohtia discloses sending a digits request trigger or an SMS message to retrieve information. Whittington discloses sending a prefix code prefixed to a destination telephone number for information associated with the prefix code to retrieve information. Lohtia's information retrieval method is **already automated to the same extent** of Whittington information retrieval system in that both send a code to retrieve information. Modifying Lohtia would only change the method of initiating data retrieval **NOT provide any greater degree of automation**, as alleged by the Examiner. Thus, the Examiner's motivation to modify Lohtia is unsupported by the cited prior art, which the Examiner has failed to refute.

Thus, the Examiner has STILL failed to provide a single reference that discloses or suggests using an auxiliary digit that is appended to a **telephone number initiating the telephone call** for any reason, much less the auxiliary digit appended to a telephone number initiating a telephone call to **retrieve location based information**, as recited by claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30.

Accordingly, for at least all the above reasons, claims 1, 2, 10-12, 19-21, 23, 24, 26, 27, 29 and 30 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31 over Lohtia in view of Whittington and Bar

In the Office Action, claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Lohtia in view of Whittington, and further in view of U.S. Patent No. 6,456,852 to Bar et al. ("Bar"). The Applicants respectfully traverse the rejection.

Claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31 recite a system and a method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call.

As discussed above, Lohtia in view of Whittington fails to disclose or suggest a system and method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call, as recited by claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31.

The Office Action relies on Bar to allegedly make up for the deficiencies in Lohtia in view of Whittington to arrive at the claimed features. The Applicants respectfully disagree.

As the Examiner apparently acknowledged by the Examiner's new reliance on Whittington to disclose the claimed features, Bar fails to disclose or suggest a system and a method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call, as recited by claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31.

Thus, Lohtia modified by Whittington and Bar would still fail to disclose or suggest a system and method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call, as recited by claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31.

Accordingly, for at least all the above reasons, claims 3, 4, 7-9, 13, 14, 17, 18, 22, 25, 28 and 31 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 6 and 16 over Lohtia in view of Whittington and Hines

In the Office Action, claims 6 and 16 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Lohtia in view of Whittington, and further in view of U.S. Patent Application Publication No. 2004/0203922 to Hines ("Hines"). The Applicants respectfully traverse the rejection.

Claims 6 and 16 recite a method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call.

As discussed above, Lohtia in view of Whittington fails to disclose or suggest a method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call, as recited by claims 6 and 16.

The Office Action relies on Hines to allegedly make up for the deficiencies in Lohtia in view of Whittington to arrive at the claimed features. The Applicants respectfully disagree.

Hines discloses a system and method of returning presence information in response to a request for location information (See paragraphs 0013 and 014). However, Hines lacks any relationship to a method of receiving an information telephone call from a subscriber, a telephone number initiating

the telephone call including at least one auxiliary digit appended to the telephone number beyond those associated with the information telephone call, as recited by claims 6 and 16.

Thus, even if it were obvious to modify Lohtia with the disclosure of Whittington and Hines (which it is not), the theoretical result fails to disclose or suggest a method of receiving an information telephone call from a subscriber, a telephone number initiating the telephone call including at least one auxiliary digit beyond those associated with the information telephone call, as recited by claims 6 and 16.

Accordingly, for at least all the above reasons, claims 6 and 16 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William H. Bollman", written over a horizontal line.

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